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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AYAL ROSENTHAL,

Plaintiff,

08 CV 5338 (LAK)
ECF Case

v.

NEW YORK UNIVERSITY, *et al.*,

Defendants

**DECLARATION
OF NANCY KILSON**

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:
SOUTHERN DISTRICT OF NEW YORK)

Pursuant to 28 U.S.C. § 1746, I, Nancy Kilson, hereby declare as follows:

1. I am the Assistant General Counsel in the New York University Office of General Counsel representing New York University ("NYU" or the "University"), the Stern School of Business of New York University ("Stern") and Dean Thomas F. Cooley of Stern ("Dean Cooley") in this matter. I respectfully submit this Declaration in support of the motion of all Defendants for summary judgment dismissing the Second Amended Complaint of the plaintiff, Ayal Rosenthal ("Rosenthal") (the "Complaint").

More specifically, the purpose of this Declaration is to place before the Court portions of the record on which Defendants rely in moving for summary judgment.

2. Exhibit A, annexed, is a copy of the Complaint and its exhibits.

3. Exhibit B, annexed, is a copy of the Answer to the Complaint.

4. Exhibit C, annexed, is a copy of the transcript of the December 4, 2009 deposition of Ayal Rosenthal in this matter.

5. Copies of Exhibits 6, 8, 9, 11, 24, 26, and 27 to the Rosenthal deposition are annexed, respectively, as Exhibit D.

6. Exhibit E, annexed, contains relevant excerpts of the transcript of the October 27, 2009 deposition of Thomas Grace, who is NYU's Director of Community Standards and Compliance.

7. Exhibit F, annexed, contains relevant excerpts of the transcript of the January 12, 2010 deposition of Tim Colvin, who chaired the Stern Judiciary Committee until approximately April 2007.

Pursuant to 28 U.S.C. § 1746, I hereby declare that the foregoing is true and correct. Executed on February 1, 2010.


Nancy Kilson